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*Attorneys for Plaintiff Bradley and the
Proposed Class*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

WALTER BRADLEY, on behalf of
himself and all others similarly situated,

Plaintiff,

VS.

DISCOVER FINANCIAL SERVICES,
Defendant.

Defendant.

Case No. 4:11-cv-5746-YGR
[Assigned to the Hon. Yvonne Gonzalez
Rogers]

**STIPULATION AND [PROPOSED]
ORDER RE DISMISSAL OF
ACTION**

1 Plaintiff Walter Bradley and defendant Discover Financial Services, through
2 their undersigned counsel, hereby stipulate as follows:
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4 WHEREAS, there is an action pending before Judge White of the United
5 States District Court for the Northern District of California, captioned *Andrew*
6 *Steinfeld v. Discover Financial Services, et al.*, case number 3:12-cv-01118-JSW
7 (“the *Steinfeld* action”); and

8 WHEREAS, on May 17, 2013, Plaintiffs filed a First Amended Complaint in
9 the *Steinfeld* action, Docket No. 47 (the “FAC”), that added Walter Bradley as a
10 named plaintiff; and

11 WHEREAS, on May 17, 2013, Plaintiffs filed an Unopposed Motion for
12 Preliminary Approval of Settlement Agreement in the *Steinfeld* action, Docket No.
13 48-1 (the “Preliminary Approval Motion”), which requests that the Court enter an
14 order preliminarily approving the class action Settlement Agreement, dated May
15 17, 2013 (the “Settlement Agreement”); and

16 WHEREAS, pursuant to Section III.A. of the Settlement Agreement, the
17 parties agreed this action shall be dismissed;

18 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED,
19 between Plaintiff, by his undersigned counsel, and Defendant, by its undersigned
20 counsel, as follows:

21 1. This action shall be dismissed without prejudice, with each party bearing
22 its own fees and costs.

23 2. If the Court in the *Steinfeld* action does not approve the Settlement, the
24 statute of limitations period applicable to claims made in the *Steinfeld* FAC shall be
25 calculated from the date of the filing of this action, November 30, 2011.

26 IT IS SO STIPULATED.
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3 Dated: May 23, 2013

/s/ Mark Ankcorn

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5 By: Mark Ankcorn

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10 *Attorneys for Plaintiff Bradley and the Proposed*
11 *Class*

12 Dated: May 23, 2013

13 _____ /s/ Lisa Simonetti
14 By: Lisa Simonetti

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21 *Attorneys for Defendant Discover Financial*
22 *Services*

1
2 **[PROPOSED] ORDER**
3

4 FOR GOOD CAUSE APPEARING AND PURSUANT TO THE
5 STIPULATION, IT IS SO ORDERED. This action is hereby **DISMISSED**
6 **WITHOUT PREJUDICE.**

7 This Order terminates Dkt. No. 53.
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9 DATED: May 24, 2013
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11 
12 YVONNE GONZALEZ ROGERS
13 UNITED STATES DISTRICT JUDGE
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